

Notice of Allowability

Application No.

09/813,527

Applicant(s)

SAITO ET AL.

Examiner

Art Unit

Tuan V Ho

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendments filed on 8/26/04.
2. ☒ The allowed claim(s) is/are 1, 2 and 13 (renumbered as 1-3 respectively).
3. ☒ The drawings filed on 21 March 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

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1. Applicants' election of the invention of Group I, claims 1-2 and 13 without traverse is acknowledged. Claims 3-12 and 14 were canceled by the Applicants.

2. Claims 1-2 and 13 are allowed.

With regard to claim 1, An electronic still camera, comprising a distant measuring section to measure a distance to a subject and to output a distance signal; focusing section having a driving section to shift the lens within a scanning range determined based on the distance signal, an image capturing element to output an image signal of the image of the subject and a detecting section to detect a focusing point of the lens based on the image signal; and light measuring section to measure a luminance of the subject and to output a luminance signal; an image capturing wherein the image capturing focusing section changes the scanning range the lens in accordance with the luminance signal measured by the light measuring section.

With regard to claim 13, an electronic still camera, comprising a distant measuring section to output a distance signal corresponding detection beam from the subject; and an image capturing section to shift the lens within a scanning range determined to a distance to the subject by receiving a focusing section having a driving based on the distance signal,

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an image capturing element having an image capturing area to receive the image from the lens and outputting an image signal of the image and a detecting section to detect a focusing point; wherein the image capturing focusing section expands the scanning range when an amount of the detection beam is lower than a predetermined value.

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Soga et al discloses a digital electronic camera that comprises a range finding circuit.

Takeda discloses an image pickup apparatus that includes a photometric device.

Isoguchi et al discloses a video camera that comprises photometric circuit.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to TUAN HO whose telephone number is (703) 305-4943. The examiner can normally be reached on Mon-Fri from 7AM to 4PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen, can be reached on (703) 308-9644. The fax phone number for the

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organization where this application or proceeding is assigned is

(703) 872-9306

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.



TUAN HO

Primary Examiner

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